Department of Energy
Washington, DC 20585
September 27, 2006

Mr. Peter Tsirigotis
Director, Sector Policies and Programs Division
Mail Code: D205-01
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711

Dear Mr. Tsirigotis:

The Department of Energy (DOE) has reviewed the Environmental Protection Agency's proposed rule, "National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning," published in the August 17, 2006, *Federal Register* (71 FR 47670). Enclosed please find a copy of the Department's comments and recommendations on the proposed regulations based on our review of their potential impacts on DOE operations and sites.

DOE appreciates the opportunity to comment on the proposed rule. If you have any questions concerning these comments, please contact Mr. Jim Tucholski of DOE's Kansas City Plant (jtucholski@kcp.com; 816-997-3245) or Mr. Ted Koss of my staff (theodore.koss@eh.doe.gov; 202-586-1306).

Sincerely,

Andy Lawrence

Andrew C. Lawrence
Director
Office of Nuclear Safety
and Environment
Office of Health, Safety and Security

Enclosure

cc (with enclosure): H. Lynn Dail

Enclosure

United States Department of Energy (DOE)
Comments on
"National Emission Standards for Hazardous Air Pollutants:
Halogenated Solvent Cleaning"

Proposed Rule
(71 FR 47670; August 17, 2006)

1. **At 71 FR 47688 (proposed 40 CFR 63.471), the Environmental Protection Agency (EPA) proposes facility-wide emission limits for facilities with solvent cleaning machines.**

The proposed rule establishes facility-wide annual emission limits based on the use of different halogenated solvents. At the same time the rule exempts equipment that does not meet the definition of a "solvent cleaning machine" (i.e., buckets, pails, and beakers with a capacity less than 7.6 liters [2 gallons]) (40 CFR 63.461). It is clear that the purpose of the rule is to reduce emissions from large, significant sources, while exempting emissions that are insignificant. DOE suggests that EPA consider establishing an exempt emissions threshold (e.g., less than 200 pounds per year) as an incentive that would encourage owners and operators of these facilities to implement processes and controls to further reduce emissions from halogenated solvent cleaning. If its halogenated solvent emissions are below this threshold, the facility would not be subject to the 40 CFR 63 Subpart T emission standards. The facility would need to record and produce the solvent emission calculations upon request.

2. **At 71 FR 47689 [proposed 40 CFR 63.471(b)], EPA proposes to impose a number of duties on solvent cleaning machine owner/operators that must be performed on the first operating day of the month.**

DOE recommends that the words "on the first operating day of every month" be changed to "by the tenth operating day of every month." Some facilities operate continuously. The person responsible for 40 CFR 63 Subpart T compliance (e.g., adding solvent, recording data, or performing calculations) may not necessarily be at work on the first operating day of every month. Since this is an administrative issue, it does not seem necessary that the proposed 40 CFR 63.471(b) duties be made on the first operating day of the month, especially since 40 CFR 63.468(h) states that the exceedance report is due semi-annually (or quarterly once an exceedance occurs) and not immediately.

The test method requirements in the existing rule at 40 CFR 63.465 also impose duties on the owner/operator that must be performed on the first operating day of every month. These requirements should not be applicable to closed-loop cleaning systems which have a solvent distillation process as part of the unit. This section [§63.465(b)] requires that only clean solvent is contained in the equipment at the beginning of each month. Some closed-loop systems have distillation units that operate continuously, and the system will contain some dirty solvent and still

bottoms. Minor amounts of contamination are removed from parts (such as fingerprint oils). These units do not need to be cleaned out monthly if small amounts of waste are stored within the closed-loop system. Closed-loop systems have indicators that let the operator know when the waste in the still needs to be changed out. More emissions and clean solvent will be generated as waste in the monthly change-out process. Therefore, DOE recommends that equipment and contamination removal performance standards be included in §63.465 to determine the frequency of change out and addition of solvent to closed-loop cleaning systems.

3. **At 71 FR 47689 [proposed 40 CFR 63.471(b)(2,3)], EPA proposes to require owner/operators to remove solid waste from solvent cleaning machines on a monthly basis and determine the total amount of halogenated HAP solvent removed from the machine.**

For closed-loop cleaning systems, the proposed requirement is not practical. Closed-loop systems can be run for many months and even years without the need to change out the still bottoms. The closed-loop vapor degreasing unit is used to remove minor surface contamination (such as fingerprints). More cleaning solvent would be wasted and more emissions will occur during a monthly clean-out process than what would be removed as solid waste in an annual clean out. This extra solvent and solid waste would in turn need to be disposed of as hazardous waste. For closed-loop systems, a once-a-year clean out is more practical. Alternatively, based on usage and contamination present on parts, a longer change out could be demonstrated as long as the cleaning system is shown as having less than 10% of system capacity as solid waste or as shown by equipment indicators. Closed-loop cleaning systems have sensors/indicators showing when material is to be added or removed. Therefore, DOE suggests that proposed 40 CFR 63.471(b)(3) be reworded as follows:

> "(3) Each owner or operator of a solvent cleaning machine shall, by the 15th operating day of each month, determine the SSR_i using a method specified in paragraphs (b)(3)(i-iv) of this section.
> (i) From tests conducted using EPA reference method 25d.
> (ii) By engineering calculations included in the compliance report.
> (iii) By manufacturer's equipment indicators on closed-loop systems which indicate a need to remove still bottoms from the system.
> (iv) By another method approved by the EPA Regional Administrator."